

HOUSE BILL 1030

By Todd

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 38, and to enact the "Citizen's Right to
Know: Pretrial Release Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known, and may be cited, as the "Citizen's Right to Know:
Pretrial Release Act".

SECTION 2. As used in this act, unless the context otherwise requires:

(1) "Annual report" means a report prepared by a pretrial release agency that
accurately summarizes the effectiveness of such agency's uses of public funds;

(2) "Non-secured release" means any release of a defendant from pretrial
custody where no financial guarantee is required as a condition of such release;

(3) "Pretrial release agency" means any government funded program whose
function includes making recommendations for the non-secured release of criminal
defendants or for the release of criminal defendants on the partial deposit of bail amount;

(4) "Register" means a public record prepared by the pretrial release agency
readily available in the clerk's office of the courthouse which displays the required data;
and

(5) "Secured release" means any release of a defendant from pretrial custody
where a financial guarantee, such as cash or surety bond, is required as a condition of
such release.

SECTION 3.

(a) The pretrial release agency in each county of Tennessee shall prepare a
register displaying information regarding the cases and defendants who are
recommended for release by such agency. The register shall be located in the clerk's

office of the court in which the pretrial release agency is located and the register shall be readily available to the public.

(b) The register shall be updated on a weekly basis and shall display accurate information regarding the following information for each defendant whose non-secured release was recommended by the pretrial release agency:

- (1) The charge against the defendant;
- (2) The nature of any prior relevant criminal convictions against the defendant;
- (3) Court appearances required;
- (4) Missed court date;
- (5) Bench warrant issues; and
- (6) Instance of program non-compliance.

SECTION 4. This act shall take effect July 1, 2007, the public welfare requiring it.